

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

SHAWN BENNETT,)	
)	
Plaintiff,)	
)	
v.)	CV 118-202
)	
ANDREW SAUL, Commissioner)	
of Social Security Administration,)	
)	
Defendant.)	

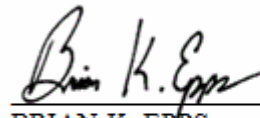
ORDER

Presently before the Court is Defendant's motion to stay the Court's ruling on Plaintiff's Motion for Attorney's Fees under the Equal Access to Justice Act pending a decision by the Eleventh Circuit Court of Appeals in the consolidated appeals of Callaway v. Saul, No. 19-11417, and Heard v. Saul, No. 19-11946. Defendant believes the appellate court's decision in the Callaway/Heard consolidated appeal concerning the hourly rate for attorneys not admitted to the bar of this Court or *pro hac vice* has direct bearing on the pending fee request in this case. Defendant further requests he be granted leave to file a response to Plaintiff's pending motion fourteen days after the Eleventh Circuit issues its mandate in Callaway/Heard. Upon consideration, the **GRANTS IN PART** and **DENIES IN PART** Defendant's motion. (Doc. no. 23.)

The Eleventh Circuit issued its opinion in Callaway/Heard on March 10, 2020. Callaway v. Acting Comm'r of Soc. Sec., No. 19-11417, 2020 WL 1158470 (11th Cir. Mar.

10, 2020). Having considered the opinion, the Court does not believe it is necessary to stay briefing in this case pending issuance of a mandate. Accordingly, Defendant shall have fourteen days from the date of this Order to file a response to Plaintiff's pending motion for attorney's fees.

SO ORDERED this 12th day of March, 2020, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA